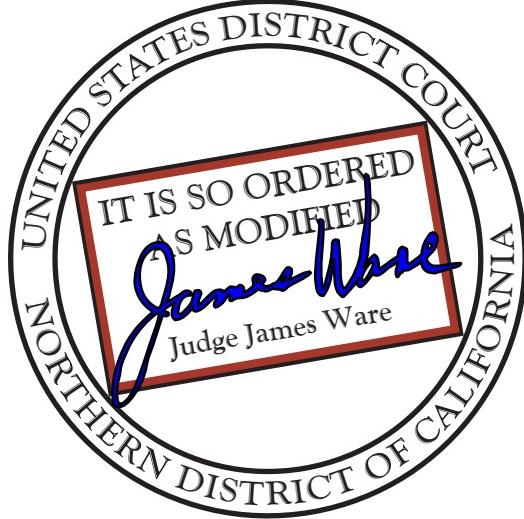


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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

THE APPLE IPOD ITUNES ANTI-TRUST LITIGATION) Lead Case No. C-05-00037-JW(RS)

This Document Relates To:) CLASS ACTION
ALL ACTIONS.) ~~[PROPOSED] ORDER MODIFYING CLASS CERTIFICATION BRIEFING SCHEDULE~~
STACIE SOMERS, On Behalf Of Herself And All Others Similarly Situated,) Case No. C 07-6507 JW
Plaintiff,) CLASS ACTION
vs.)
APPLE, INC., a California corporation,)
Defendant.)



1 Good cause appearing, therefore, and pursuant to the stipulation of the parties, IT IS
2 HEREBY ORDERED that the following pretrial schedule is adopted:

3	Interim Case Management Conference:	October 6, 2008 at 10 a.m.
4	Last day to file Defendant's submission in opposition to class certification (Direct Case):	October 17, 2008
5	Last day to file Plaintiffs' reply submission in support of class certification (Direct Case):	November 17, 2008
7	Hearing on Plaintiffs' Motion for Class Certification (Direct Case):	December 15, 2008 at 9 a.m.
9	Last day to file Plaintiff's Motion for Class Certification (Indirect Case):	December 1, 2008
11	Last day to file Defendant's submission in opposition to class certification (Indirect Case):	February 12, 2009
12	Last day to file Plaintiff's reply submission in support of class certification (Indirect Case):	March 30, 2009
14	Hearing on Plaintiffs' Motion for Class Certification (Indirect Case):	April 20, 2009 at 9 a.m.

16 The Court has granted the parties' stipulation regarding the briefing and hearing
17 schedule for the Class Certification motions. In light of the age of the Direct case, the Court
18 encourages the parties to continue in good faith to engage in further mediation. However,
19 the schedule as modified by the Court above shall stay in effect and shall not be further
modified by Stipulation.

20 On or before **September 26, 2008**, the parties from both the Direct and Indirect cases
21 shall file a Joint Case Management Statement. The Statement shall, among other things,
22 inform the Court of the parties' mediation efforts. The Court notes that the parties had failed
23 to timely file their Joint Statement for the August 25, 2008 conference, even after they were
given an extension. It is imperative for the parties to meet the Court's deadlines and not
simply ignore them without proper communication with the Court.

24 Dated: August 20, 2008



JAMES WARE
United States District Judge